

BOARD OF ENVIRONMENTAL REVIEW
AGENDA ITEM
EXECUTIVE SUMMARY FOR SETTING OF THE 2005 MEETING SCHEDULE

AGENDA # I.B

AGENDA ITEM SUMMARY - Setting of 2005 Meeting Schedule

AFFECTED PARTIES SUMMARY - Board members, Department personnel, and members of the public who appear before the Board will be affected.

BACKGROUND - Establishment of a 2005 Board meeting schedule at this meeting will enable Board members, the Department, and the public to plan and schedule matters that involve the Board and other activities far enough in advance to minimize scheduling conflicts and the need for emergency meetings.

HEARING INFORMATION - No hearing is necessary.

BOARD OPTIONS - The Board has authority to set whatever schedule it wishes to set. However, to facilitate the rule adoption process, it is advisable for the Board to schedule its meetings a week before the dates of filing with the Secretary of State. This will provide adequate time before the next filing date for the Department to prepare and the Chairman to review any modifications that the Board requires in rulemaking notices. It is also advisable for the Board to schedule meetings approximately two months apart. This allows the Board to adopt rules approximately four months after initiation of rule proceedings and provides adequate time for compilation of public comments and preparation of notices and hearing officer reports. Finally, should the Board at the 4-month meeting decide to ask for more information or major revisions, two-month intervals allow the Board to consider and take action on the matter at the next meeting without renoticing the matter in the Montana Administrative Register. Renoticing is required if notice of adoption is not published within 6 months of the notice of initiation.

Considering the factors listed above, the Department has developed a meeting schedule for the Board's consideration. It is:

January 28
March 25
June 3
July 29
September 30
December 2

DEQ RECOMMENDATION - The Department recommends that the Board consider the matter and set an appropriate schedule.